REMARKS/ARGUMENTS

Reconsideration of this application is requested. Claims 39-66 and 71-75 are in the case.

I. THE INTERVIEW

At the outset, the undersigned wishes to thank the Examiner (Examiner Hailey) for kindly agreeing to conducting a personal interview on this application. The interview was held on December 1, 2005, and was attended by Dr. Bruce Williams and Ms. Caron Brooke of the assignee corporation, as well by the undersigned. The courtesies extended by the Examiner were most appreciated. The substance of the interview will be clear from the comments presented below.

II. ELECTION/RESTRICTIONS

The election of Group I (claims 39-66 and 71-75) is hereby affirmed. Claims 67-70 have been cancelled without prejudice to the possibility of pursuing that subject matter in a separate divisional application.

III. CLAIM OBJECTIONS

Claim 39 has been objected to in view of the informality noted at the bottom of page 2 of the Action. In response, claim 39 has been amended to include a semicolon at the end of paragraph (a). Withdrawal of this objection is now respectfully requested.

IV. THE OBVIOUSNESS REJECTION

Claims 39-66 and 71-75 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent 6,534,438 to Baker et al. That rejection is respectfully traversed.

As explained during the interview, the invention of the present application is directed to a process for preparing a catalyst active for the fluid bed acetoxylation of ethylene to produce vinyl acetate, which process comprises the steps of: (a) impregnating microspheroidal silica support particles by the incipient wetness technique with an aqueous solution of palladium and gold compounds, whilst agitating the support particles; (b) drying the impregnated support particles produced in step (a) whilst agitating the impregnated support particles; (c) reducing the palladium and gold compounds of the impregnated support particles produced in step (b) to respective metals by adding the dried, impregnated support particles to an aqueous solution of hydrazine, whilst stirring, to form a slurry; (d) filtration of the slurry produced in step (c) to remove the excess reduction solution; (e) washing the filter cake/slurry produced in step (d) with water and removing excess water to form a cake; (f) impregnating the cake produced in step (e) with one or more salts of Group I, Group II, lanthanide and transition metals by blending the cake produced in step (e) with one or more solid salts of Group I, Group II, lanthanide and transition metals; and (g) drying the impregnated cake produced in step (f) whilst agitating the impregnated cake to form free-flowing catalyst particles.

On page 5 of the Action, the Examiner has acknowledged that Baker does not specifically disclose the claimed steps but asserts that the method is "comparable to that instantly claimed". The Examiner further states that:

> "With respect to applicants' claim limitations regarding the agitation of the support particles during impregnation, it is considered that such a step would have been within the level of ordinary skill in the art to be performed in an endeavor to maximize the contact between the support particles and the impregnating solutions, thus obtaining an optimal amount of catalyst components loaded onto the support particles."

The Examiner's reasoning is respectfully traversed.

Several differences exist between the methodology described by Baker and the claimed method steps set forth in claim 39. In step (a) of claim 39, microspheroidal silica support particles are impregnated by the "incipient wetness technique" with an aqueous solution of palladium and gold compounds, whilst agitating the support particles. As noted by Dr. Williams, there is no disclosure or suggestion in Baker of agitating the support particles during the impregnation step. Dr. Williams explained the difference in effect on the particles caused by the incipient wetness procedure and the agitation. The incipient wetness conditions cause dissolution of the compounds in the pore volume of the support to ensure that metal is contained within the particles, whereas the agitation assures an equalization of amounts amongst the different particles. This is discussed at page 2, lines 26-28 of the originally filed specification. Agitation is not for the purpose of obtaining an optimal amount of catalyst components loaded onto the support particles, as asserted at the bottom of page 5 of the Action, but rather to equalize the amounts of metal amongst the support particles.

In step (b), the impregnated support particles produced in step (a) are dried whilst undergoing agitation. Agitation during drying is intended to prevent metal from migrating to the surface ("wicking"). This is discussed at page 6, lines 15 and 16 of the present application.

Following reduction of the palladium and gold compounds by exposure to an aqueous solution of hydrazine, the slurry is filtered to remove excess reduction solution followed by washing the filter cake/slurry with water. Excess water is then removed to form a cake. It is noted that Baker does not disclose or suggest removal of excess water to form a cake as required by step (e) of the presently claimed invention.

The cake produced in step (e) is impregnated with one or more salts of Group I, Group II, lanthanide and transition metals by blending the cake produced in step (e) with one or more solid salts of Group I, Group II, lanthanide and transition metals. Dr. Williams explained during the interview that the cake produced by the removal of excess water still contains some water in an amount sufficient to dissolve the solid promoter introduced during the blending step as set forth in paragraph (f). Other than in Example 7 of Baker, no mention is made in Baker of the use of solid salts. Example 7 of Baker states that:

> "The material was doped with solid potassium acetate...The resulting mixture was mixed thoroughly and dried over night." (column 9, lines 40-16).

At this point of the process, Baker and the present invention diverge. Baker does not disclose or suggest removal of excess water to form a cake and, thus, does not

suggest blending solid salts with the cake so produced. Absent any such disclosure, it is clear that at least steps (e) and (f) are not disclosed or suggested by Baker.

Step (g) of the presently claimed process requires drying of the impregnated cake produced in step (f) whilst agitating the impregnated cake to form free-flowing catalyst particles. As there is no disclosure or suggestion in Baker of an impregnated cake, it follows that there can be no disclosure or suggestion of drying such a cake whilst agitation is performed. Agitation of the cake ensures a uniform distribution of the salt within the particles.

It is clear from the above that the step methodology set forth in claim 39 of the present application is in no way disclosed or suggested by Baker. There would have been no motivation for one of ordinary skill to modify Baker to adopt the methodology set forth in claim 39. Absent any such motivation, a *prima facie* case of obviousness is not generated by Baker. Reconsideration and withdrawal of the outstanding obviousness rejection are accordingly requested.

Favorable action on this application is awaited.

Respectfully submitted,

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